



Setti D. Warren
Mayor

City of Newton, Massachusetts
Department of Planning and Development
1000 Commonwealth Avenue Newton, Massachusetts 02459

Telephone
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

Candace Havens
Director

MEMORANDUM

| | |
|--------------------------------|----------------|
| Public Hearing Date: | March 15, 2011 |
| Land Use Action Date: | May 17, 2011 |
| Board of Aldermen Action Date: | June 6, 2011 |
| 90-Day Expiration Date: | June 12, 2011 |

DATE: March 11, 2011

TO: Board of Aldermen

FROM: Candace Havens, Director of Planning and Development
Eve Tapper, Chief Planner Current Planning
Alexandra Ananth, Senior Planner

SUBJECT: **Petition #7-11, CHARLES RIVER COUNTRY CLUB, Inc.** petition for a special permit/site plan approval and to extend a nonconforming use to create a short game practice area for its members and guests in a currently unimproved portion of an existing golf course (no buildings or structures are involved) at **483 Dedham Street**, Ward 8, on land known as Sec 83, Blk 36, Lot 4, containing approx 6,446,022 sq ft of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-21(a)(2)a) of the City of Newton Rev Zoning Ord, 2007 and Special Permit #261-96.

CC: Mayor Setti D. Warren

The purpose of this memorandum is to provide the Board of Aldermen and the public with technical information and planning analysis which may be useful in the special permit decision making process of the Board of Aldermen. The Planning Department's intention is to provide a balanced view of the issues with the information it has at the time of the public hearing. There may be other information presented at or after the public hearing that the Land Use Committee of the Board of Aldermen will want to consider in its discussion at a subsequent Working Session.



EXECUTIVE SUMMARY

The Charles River Country Club, a private club located at 483 Dedham Street, consists of an approximately 148-acre site containing a golf course and various recreational facilities, including a clubhouse, swimming pool, and tennis courts. The Charles River Country Club has operated at this site for over 80 years and has obtained a number of special permits for its facilities during that time. Most recently the petitioner received special permit #136-10 to replace a seasonal canvas tent structure with a more permanent open-air pavilion building of a similar size.

The petitioners are currently proposing to create a short game practice area for its members and guests in a currently unimproved portion of the golf course. The petitioners must amend prior Special Permits/Site Plans and obtain approval of an extension of the legally nonconforming use to allow the short game practice area.

I. SIGNIFICANT ISSUES FOR CONSIDERATION

When considering this request, the Board should consider whether the proposed expanded use to include a short game practice area will be substantially more detrimental to the surrounding neighborhood than the existing golf course use.

II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

A. Neighborhood and Zoning

The portion of the country club that is the subject of this special permit request is abutted to the north by the Gables Condominium, located in a Multifamily Residential zone. Immediately across Dedham Street is a large Single Residence 2 district containing single-family homes. The closest residential abutters are approximately 130 feet from the proposed short game area. The majority of the Club is located in a Single Residence 1 District except for the portion located between Winchester Street and the Charles River, which is zoned Single Residence 3.

B. Site

The Charles River Country Club is a large open tract of land containing approximately 148 acres located along both sides of Winchester and Nahanton Streets with its main entrance off of Dedham Street at the intersection of Country Club Road. The site contains a number of recreation facilities, including an 18-hole golf course, clubhouse, six tennis courts, a swimming pool, and snack bar area. The portion of the Country

Club that is the subject of this special permit request is located just west of the clubhouse parking area, close to the north lot line shared with the Gables Condominium.

III. PROJECT DESCRIPTION AND ANALYSIS

A. Land Use

The subject property will continue to be used as a golf course and country club. The petitioner is proposing to convert a lightly wooded area into a short game area with three fairways, two greens and a sand trap. An approximately thirty-foot-wide City water easement will be maintained on the petitioner's side of the property line separating the new short game center from the lot line. The proposed short game center is not expected to lead to an increase in membership and will not be used by participants in the Club's summer camp.

B. Building and Site Design

The proposed new short game area does not include any buildings or structures, but will require the removal of a few trees and some minor re-grading to create the short game area. A caddy shack between the short game area and the parking area already exists.

C. Parking and Circulation

No changes to parking or circulation are proposed as a result of this project.

D. Landscape Screening

The petitioners submitted a conceptual planting plan that includes a number of smaller trees, including a mix of evergreen and deciduous plantings to help screen the new short game area from the residences at the Gables Condominium, some of which are proposed on the Condominium's side of the property line (property owners' approval). The petitioner should note the total caliper inches of any significant trees to be removed and should file such information with the City's Director of Urban Forestry. Finally, the petitioners should also note the number of caliper inches to be planted.

IV. TECHNICAL REVIEW

A. Technical Considerations. The Zoning Review Memorandum, dated December 14, 2010 (**ATTACHMENT "A"**), provides an analysis of the proposal with regard to zoning. The petitioners must amend and aggregate previous Board Orders into one new Board Order for an extension of a valid nonconforming use and amend existing site plans.

B. Other Reviews. No other reviews were required for this petition.

V. ZONING RELIEFS SOUGHT

Based on the completed Zoning Review Memorandum, the petitioner is seeking approval through or relief from:

- Section 30-21(a)(2)a), to amend and aggregate previous Board Orders into one new Board Order for an extension of a valid nonconforming use.
- Section 30-24(a), to amend existing site plans.

VI. PETITIONERS' RESPONSIBILITIES

The petitions should file a tree removal permit with the City's Director of Urban Forestry with a copy to the Planning Department.

ATTACHMENTS

- ATTACHMENT A: ZONING MEMORANDUM DATED DECEMBER 14, 2010
ATTACHMENT B: ZONING MAP
ATTACHMENT C: LAND USE MAP

Zoning Review Memorandum

Date: December 14, 2010

To: John Lojek, Commissioner of Inspectional Services

Fr: Seth Zeren, Chief Zoning Code Official
 Eve Tapper, Chief Planner for Current Planning ET

Cc: Stephen Buchbinder, Attorney representing applicant
 Candace Havens, Interim Director of Planning and Development
 Ouida Young, Associate City Solicitor

RE: Request to extend an existing nonconforming use and amend site plan

| Applicant: Charles River Country Club | |
|--|--|
| Site: 483 Dedham Street | SBL: 83036 0004 |
| Zoning: SR1 | Lot Area: 6,446,022 square feet |
| Current use: Country Club | Proposed use: Country Club |

Background:

The site at 483 Dedham Street consists of approximately 150 acres and is improved with numerous structures related to the operations of the Charles River Country Club. The Charles River Country Club began operations in 1921 and is a legally nonconforming use in the SR1 zone. Over the years the Club has obtained numerous special permits and variances for its facilities and operations. The Club proposes to create a short game practice area for its members and guests in a currently unimproved portion of the golf course.

The following review is based on plans and materials submitted to date as noted below.

Plans and materials reviewed:

- o Site Plan, Signed and stamped by Verne Porter, Land Surveyor, and Stephen Poole, Engineer, dated 10/6/10
 - Area Plan Proposed Short Game Center
 - Short Game Center Proposed Practice Area Location and Grading
 - Short Game Center Existing Conditions Plan
- o Prior Board Orders, see Exhibit B page, attached

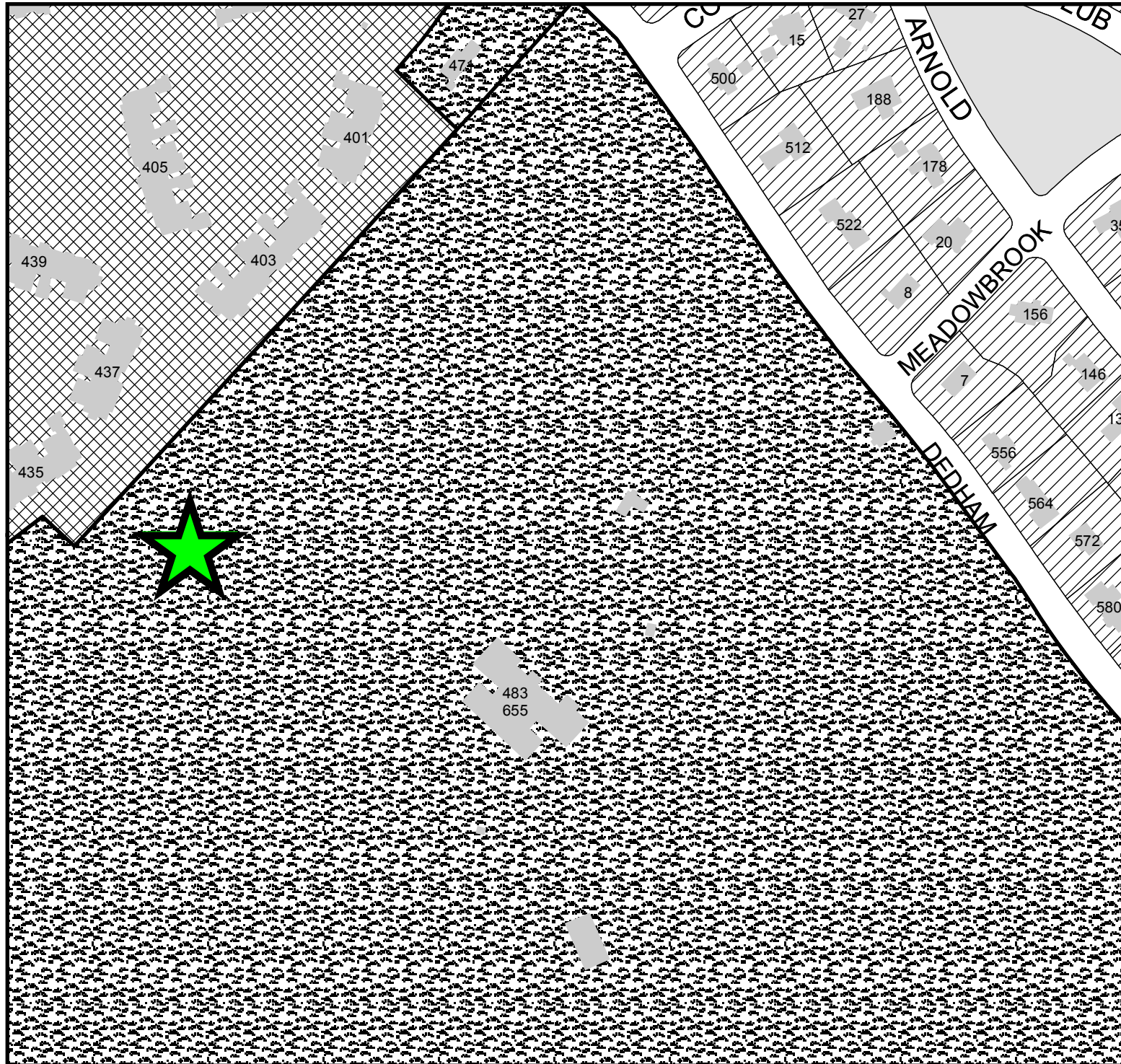
Administrative determinations:

1. The proposed project would lead to an extension of a legally nonconforming use (the golf club). The applicant must obtain amendments to the prior Special Permits to allow an extension of a nonconforming use from the Board of Aldermen. The Special Permit should aggregate the conciliations of prior special permits to form one complete Special Permit for the site.
2. The proposed project will also require a modification to the site plan
 To build the project as proposed, the applicant must obtain a Special Permit

from the Board of Aldermen under §30-21(a)(2)(b) and §30-21(b). A site plan for the entire site should be referenced in the new Special Permit.

3. See “Zoning Relief Summary” below:

| <i>Zoning Relief Summary</i> | | |
|-------------------------------------|--|--|
| <i>Ordinance</i> | <i>Use</i> | <i>Action Required</i> |
| §30-21(a)(2)a) | Amend and aggregate previous Board Orders into one new Board Order for an extension of a valid nonconforming use | S.P. per §30-24 |
| <i>Ordinance</i> | <i>Site</i> | <i>Action Required</i> |
| §30-24(a) | Amend existing site plans | Provide current site plan for whole property |



Zoning Map

483 Dedham St.

Legend

483 Dedham St.

Building Outlines

Zoning

MR1

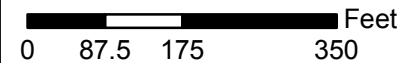
PUB

SR1

SR2



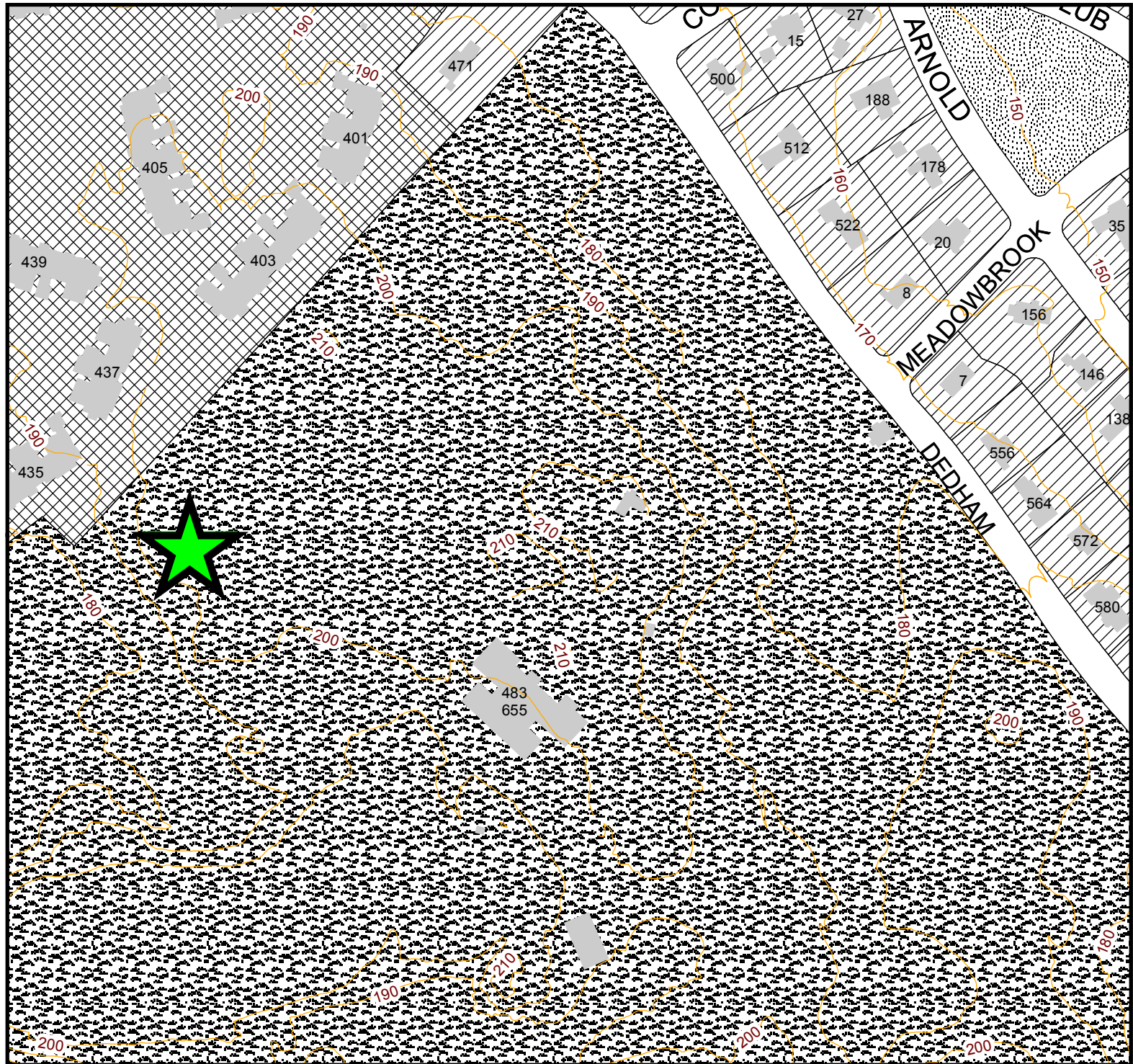
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MAP DATE: March 04, 2011

Land Use Map

483 Dedham St.



Legend

483 Dedham St.

Contour Lines

Two Foot Contour

Index (10 Foot) Contour

Depression Contour

Depression - Index Contour

Bridge Abutment

Culvert

Wall



Building Outlines

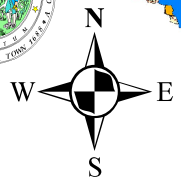
Single Family Residential

Multifamily Residential

Golf Course

Open Space





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